

		PUBLIC GUARDIAN , was appointed Successor Conservator of the Estate on 12/13/1996.	NEEDS/PROBLEMS/COMMENTS:
		Letters issued on 12/20/1996.	1. Need Fifteenth Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from		Fourteenth Account was settled on 07/03/2014.	
<input type="checkbox"/>	Aff.Sub.Wit.	Minute Order of 07/03/2014 set this Status Hearing for the filing of the next account.	
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 03/29/2016
			Updates:
			Recommendation:
			File 1- Olguin

Attorney
Pro per

Kruthers, Heather H. (for Public Administrator – Administrator with Will Annexed)
McDonald, Jackie (former Executor)

Probate Status Hearing RE: Filing of the Final Account and Issuance of Letters of the Public Administrator

DOD: 08/19/06		<p>JACKIE MCDONALD, sister-in-law, was appointed Executor on 10/10/06 and Letters Testamentary were issued to her on 10/23/06.</p> <p>On 01/22/15, JACKIE MCDONALD, was removed as Executor and the Public Administrator was appointed as Administrator with Will Annexed.</p> <p>First Account of former Executor was approved on 09/14/15. Minute Order from 09/14/15 set this status hearing re: Filing of the Final Account and Issuance of Letters to the Public Administrator.</p> <p>Letters of Administration were issued to the Public Administrator on 09/21/15.</p> <p>Status Report Regarding Filing Final Account filed 03/14/2016 states the estate is not in a condition to be closed. The real property located at 2001 Winter Street, Kingsburg, California is listed for sale. There was a Notice of Proposed Action for the sale of the home filed 03/06/2015, but the sale fell through because the buyers could not obtain financing. There have only been a couple of showings, and there are no interested buyers to date. The son, who is currently staying there and paying the mortgage, cannot qualify for a loan to purchase the house himself. The Public Administrator must sell this property in order to close the estate. It is respectfully requested that the next hearing be set no sooner than 90 days from the date of this hearing in order to get the property sold and the final account prepared.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 12/14/2015: Counsel requests four months to see if Steve Wright is able to obtain a loan to purchase the property.</p> <p>1. Need Final Account.</p>
Cont. from 121415			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF / LV</p> <p>Reviewed on: 03/28/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Wright</p>	

Age: 63	BARBARA CASTRO and JESSICA BURNETT,	NEEDS/PROBLEMS/COMMENTS:
	Daughters, are Co-Conservators of the	
	Person. BARBARA CASTRO is sole	
	Conservator of the Estate.	
Cont. from	Letters issued on 1/19/07	
Aff.Sub.Wit.		
Verified	Bond in the amount of \$156,000.00 filed	
Inventory	12/30/2014.	
PTC	Order Settling Third Account was filed	
Not.Cred.	09/15/2014.	
Notice of Hrg	Minute Order of 12/01/2014 set this status	
Aff.Mail	hearing for the filing of the Fourth Account.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/29/2016
		Updates:
		Recommendation:
		File 3- Castro

4 Gracie Lynn Byer & Gage Allen Martin Neace (GUARD/P)**Case No. 08CEPR00212**

Petitioner Martin, Martin (Pro Per – Father)

Guardian Lewelling, Tamra (Pro Per – Objector)

Petition for Termination of Guardianship

Gage Age: 5	MICHAEL MARTIN , father, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Note: Petition pertains to Gage Neace only. 1. Petition lists the mother's address in Salinas, Ca. however the Notice of Hearing filed 03/11/2016 indicates the mother was personally served as well as served by mail at an address in Clovis, Ca. The Court may require clarification as to whether the mother was properly noticed. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none">Larry Neace (Maternal Grandfather) Note: Proof of Service filed 03/11/2016 indicates that the maternal grandfather was personally served on 02/22/2016 however it does not appear that the Notice of Hearing was served. Notice of Hearing provides the hearing date, time and department.
	TAMRA LEWELLING , maternal grandmother, was appointed guardian on 02/09/2015. Personally served on 03/02/2016. <u>Please see petition for details</u>	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	w/	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/30/2016
		Updates:
		Recommendation:
		File 4- Byer/ Neace

Report of Sale and Petition for Order Confirming Sale of Real Property

		PUBLIC GUARDIAN is	NEEDS/PROBLEMS/COMMENTS:
		Conservator/petitioner.	
		Sale price - \$130,000.00	<p>1. Reappraisal for Sale filed 6/25/15 listed the value of the real property at \$175,000.00. Reappraisal for Sale filed on 3/3/16 lists the value of the real property at \$140,000.00. The \$130,000 sales price is not within 90% of the appraised value of the Reappraisal for Sale filed on 6/25/15 as required by the Probate Code. The \$130,000 sales price is within the Reappraisal for Sale of \$140,000 filed on 3/3/16. The order states at #6 states 90% of the appraised value cannot be obtained on this property. With the Reappraisal for Sale filed on 3/3/16 the sale is within 90% of the appraised value. Therefore, need new order.</p> <p>2. Probate Code 2543(d) and 10250 requires the Notice of Sale to be posted by the Probate Clerk at least 15 days prior to the hearing. The Notice was inadvertently not posted.</p>
		Overbid - 137,000.00	
Cont. from		Reappraisal - \$140,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Property - 47409	
<input checked="" type="checkbox"/>	Verified	Thunderhill Lane, Squaw Valley, CA	
<input type="checkbox"/>	Inventory	Publication - Business	
<input type="checkbox"/>	PTC	Journal	
<input type="checkbox"/>	Not.Cred.	Buyers - Mark Freeman, as	
<input checked="" type="checkbox"/>	Notice of Hrg	a single man as his sole and separate	
<input checked="" type="checkbox"/>	Aff.Mail	property.	
<input checked="" type="checkbox"/>	Aff.Pub.	Broker - \$6,500.00 (5%	
<input type="checkbox"/>	Sp.Ntc.	- payable 50% to Jeff Starbuck of	
<input type="checkbox"/>	Pers.Serv.	Guarantee Realty and 50% to Brenda	
<input type="checkbox"/>	Conf. Screen	McReynolds of Century 21- Watson	
<input type="checkbox"/>	Letters	Realty.	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting	X	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/28/16
			Updates:
			Recommendation:
			File 5- Sager

Third and Final Account and Report of Guardian, Petition for Settlement of Account, for Attorneys Fees and for Termination of Guardianship

		<p>GRACE RUIZ, Mother and Guardian of the Estate, is Petitioner.</p> <p>Account period: 3/11/15 to 2/22/16</p> <p>Accounting: \$169,461.27</p> <p>Beginning POH: \$167,775.79</p> <p>Ending POH: \$168,499.27 (held in blocked account)</p> <p>Guardian waives compensation</p> <p>Attorney: \$500.00 (2.5 hours @ \$200/hr)</p> <p>Petitioner prays for an order as follows:</p> <ol style="list-style-type: none"> Settling and allowing the account and report and approving and confirming the acts of Petitioner as guardian; Fixing and allowing the sum of \$500.00 as compensation to Paulette Janian for legal services rendered to the guardian and estate during the period of this account; For termination of the guardianship and authorization to turn over all guardianship assets to ROXANNE RUIZ; and Granting such other and further relief as the Court deems proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	2620(c)			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 3/28/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6- Ruiz</p>	

Petitioner: Antonio E. Diaz (Pro per – Father)

Guardian: Grace Espinoza (Pro per – Maternal Aunt)

Petition for Termination of Guardianship

		ANTONIO E. DIAZ , father, is petitioner and requests to terminate guardianship for both minors GRACE ESPINOZA , maternal aunt, was appointed guardian of the person of both minors on 10/15/2012. their father. Court Investigator report filed 3/28/2016 <i>See petition for details.</i>	NEEDS/PROBLEMS/COMMENTS: 1. Need <i>Notice of Hearing</i> . 2. Need proof of mailed service at least 15 days prior to the hearing of <i>Notice of Hearing</i> per Probate Codes 1601 and 1460(b)(5) <u>or</u> consents and waivers of notice for: a. Grace Espinoza (guardian/maternal aunt) b. Joanna Diaz (mother) c. Juliana Diaz (minor) d. Nathan Diaz (minor)	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: SEF	
			Reviewed on: 3/28/2016	
			Updates:	
			Recommendation:	
			File 7- Diaz	

Attorney Lawson K. Renge (for Petitioner Betty A. Pate, Executor)

Amended First and Final Account and Report of Administration and Petition
for Final Settlement and Distribution; Accounting Waived

DOD: 4/4/2013		BETTY A. PATE , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	Note: Proposed order has been interlineated to correct the statutory fee and distribution amounts.
Cont. from 102215		I & A — \$644,428.38	
<input type="checkbox"/>	Aff.Sub.Wit.	POH — \$493,100.79 (\$83,672.41 is cash)	
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	Executor — \$14,968.57 (statutory)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney — \$14,968.57 (statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	080213		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 3/29/16
			Updates:
			Recommendation: SUBMITTED
			File 8 – Guidi

9 Margaret Connie Magallanes (Estate) Case No. 14CEPR00578

Attorney: Anthony G. Celaya (for Petitioner Felix C. Magallanes)

Attorney: Jeffrey B. Pape (for Margie Martinez and Monica Magalanes)

Probate Status Hearing RE: Filing of an Amended Petition

DOD: 11/5/13	FELIX C. MAGALLANES , Administrator, filed a Complete Restatement of First and Final Account, Report of Administrator, Petition for Statutory Fees and for Distribution of Intestate Estate that was set for hearing on 2/29/16.	NEEDS/PROBLEMS/COMMENTS:
		1. Need amended petition or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report, shall be served on all necessary parties.
Cont. from		
Aff.Sub.Wit.		
Verified	Examiner notes pointed out several issues that needed to be address by the filing of an amended petition. Among the issues raised was that the attorney received attorney fees totaling \$25,585.43 without first obtaining a court order.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.	Minute Order dated 2/29/16 states Mr. Celaya requests a 30 day continuance to file an amended petition. Mr. Celaya represents that the fees paid to him were paid prior to this case being filed. The Court orders that the paid fees be returned to the estate by 4/4/16, and that Mr. Celaya file verified proof. Furthermore, the Court orders that Mr. Celaya to not accept any additional fees without a court order, and that the Administrator is not to pay any additional fees without a Court order.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 3/28/16
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 9- Magallanes

Petitioner Aida Barrios (Pro Per – Mother)

Petition for Termination of Guardianship

Age: 16	AIDA BARRIOS, mother, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
			Minute Order of 02/29/2016: Examiner notes provided in open court.
Cont. from 022916			The following issues remain:
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Isidro Barrios (Father) • Annette Galvan (Guardian) • Jennifer Barrios (Minor) • Paternal Grandparents (Not Listed) • Maternal Grandparents (Not Listed)
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg		x	
<input type="checkbox"/> Aff.Mail		x	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 03/29/2016
			Updates:
			Recommendation:
			File 10- Barrios

Age: 80	PUBLIC GUARDIAN , was appointed Conservator of the person and estate on 12/09/2014.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account.
	Letters issued on 12/10/2014.	
Cont. from		
Aff.Sub.Wit.	Inventory & Appraisal No. 1 filed 02/02/2015 shows an estate valued at \$85,000.00.	
Verified		
Inventory	Inventory & Appraisal Reappraisal for Sale filed 04/03/2015 shows estate valued at \$80,000.00.	
PTC		
Not.Cred.		
Notice of Hrg	Inventory & Appraisal Final filed 04/30/2015 shows an estate valued at \$391,377.07.	
Aff.Mail		
Aff.Pub.	Minute Order of 12/09/2014 set this Status Hearing re: the filing of the First Account.	
Sp.Ntc.		
Pers.Serv.	Status Report Regarding Filing of the First Account filed 03/07/2016 states the Public Guardian is short staffed. One of the support staff suddenly retired for medical reasons. Although the Public Guardian has recently hired a replacement, she will not start work until March 14, 2016. She will need to be trained and will not be able to work independently until she is trained. The person who prepares the necessary documents for the accounts is currently covering both her duties and the duties of the other staff member who retired. She is the only one training the new replacement. Therefore, she will be unable to get all the accounts done that need to be done before the scheduled status hearings. Furthermore, there have been a large number of accounts set for status hearings, which makes it even harder for her to get to all of them. In addition, where applicable, her services are needed to correct errors and discrepancies found by the Probate Examiners in the accounts that are being heard. Therefore, it is respectfully requested that the next status hearing for this matter be set no sooner than 90 days from the date of this status hearing.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 03/29/2016
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 11- Brown

DOD: 07/19/2014			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>First and Final Account filed</u> <u>03/21/2016. Hearing is set for</u> <u>05/11/2016.</u>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>	
<input type="checkbox"/>	Verified	<input type="checkbox"/>	
<input type="checkbox"/>	Inventory	<input type="checkbox"/>	
<input type="checkbox"/>	PTC	<input type="checkbox"/>	
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>	
<input type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>	
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>	
<input type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>	
<input type="checkbox"/>	Conf. Screen	<input type="checkbox"/>	
<input type="checkbox"/>	Letters	<input type="checkbox"/>	
<input type="checkbox"/>	Duties/Supp	<input type="checkbox"/>	
<input type="checkbox"/>	Objections	<input type="checkbox"/>	
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>	
<input type="checkbox"/>	CI Report	<input type="checkbox"/>	
<input type="checkbox"/>	9202	<input type="checkbox"/>	
<input type="checkbox"/>	Order	<input type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>	
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>	
<input type="checkbox"/>	UCCJEA	<input type="checkbox"/>	
<input type="checkbox"/>	Citation	<input type="checkbox"/>	
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>	
Reviewed by: LV			
Reviewed on: 03/29/2016			
Updates:			
Recommendation:			
File 12- Tange			

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Conservator's Petition for Orders Authorizing Payment of Compensation for Attorney's Fees to Date

		DR. HOUA YANG , spouse and Conservator of the Person and Estate appointed on 10/8/2015 with bond fixed at \$22,818.40 and deposits into blocked account, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: Page 13B is the <i>Ex Parte Petition for Withdrawal of Funds from Blocked Account</i> . Continued from 2/29/2016. Minute Order states counsel represents that he has the verification with him today; he is to file a verified declaration by 3/21/2016 with regard to his explanation for item number two of the examiner's notes. Note: Declaration Re Conservatorship of the Person and Estate filed 3/15/2016 includes an attached explanation of the Conservatorship Estate, and an attached <i>Corrected Final Inventory and Appraisal</i> , showing that the estate consists of \$13,602.78 cash and \$15,500.00 of personal property (jewelry and clothes). 1. Proposed Order for Withdrawal of Funds from Blocked Account lists in Item 4 (a) HOUA YANG as payee of \$3,000.00 , and in Item 4(b) CHARLES M. PALMER as payee of \$1,944.50 . Need clarification regarding the inconsistency of the proposed order compared with the request in the Petition for payment to Attorney Palmer of \$3,830.00 for fees.
Cont. from 022916			
	Aff.Sub.Wit.	Petitioner requests an order authorizing payment of compensation for the fees of his attorney for services to date in this matter, pursuant to Probate Code § 2640 and 2623, CA Rule of Court 7.702, and Local Rule 7.16, based upon the following: <ul style="list-style-type: none"> Petitioner seeks compensation for attorney's fees charged for services in representing Petitioner to establish the conservatorship and to thereafter act as Conservator, in the amount of \$3,830.00, for 19.15 hours @ \$200.00/hour; These fees are just and reasonable because they represent only those services necessary to establish the conservatorship and to continue assisting the Conservator to execute his duties, and nothing more; This Petition complies with Probate Code § 2640 [subsections enumerated with statements of applicability of the instant petition]; As per Local Rule 7.16(A), this Petition complies with CA Rule of Court 7.750 through 7.752; per Rule of Court 7.750, this Petition seeks compensation payable from the estate of the Conservatee, specifically monies received by the Conservatee under an Accelerated Benefits Rider Claim from the Conservatee's insurance company, which are deposited into a blocked account; <p align="center">~Please see additional page~</p>	
✓	Verified		
✓	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		W/
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: LEG			
Reviewed on: 3/28/16			
Updates:			
Recommendation:			
File 13A- Lor			

Petitioner states, continued:

- Per Rule 7.751 (a), this Petition requests compensation for services rendered before an order appointing Conservator; most of the attorney's services were rendered before such an order as they were for the purpose of establishing the conservatorship;
- Per Rule 7.752, it is in the Court's discretion whether or not to order the Conservator to file an accounting before or at the time the petition is filed or heard; this requirement should be waived for two reasons: (1) a mere 90 days has passed since Letters were issued, and thus there has been no financial activity to warrant such an accounting; (2) the bulk of monies received into the Conservatee's estate, namely benefits of **\$13,223.12**, has been placed into a blocked account where it remains untouched as of this date;
- No order for withdrawal has been issued to date, therefore, an accounting is not necessary at this point and Petitioner requests it be waived;
- Attorney services performed were interview parties involved (Conservatee, Conservator, family members and others); review records, documents and information provided by clients and family; draft and file various forms to petition for conservatorship; serve various parties notice; attend the hearing; contact various financial institutions, medical personnel, and others; open blocked account; prepare inventory and appraisal; the difficulty of these tasks was on par with typical attorney tasks.

Petitioner requests a Court order authorizing payment of compensation for attorney's fees to date in this matter in the amount of \$3,830.00.

Attorney Charles M. Palmer (for Petitioner Houa Yang)

Ex Parte Petition for Withdrawal of Funds from Blocked Account

		Dr. HOUA YANG, spouse and Conservator of the Person and Estate appointed on 10/8/2015, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner requests withdrawals totaling \$7,260.00 from the blocked account, representing the following sums for the following purposes:	<p>Note Re Future Hearing: Probate Status Hearing is set in this matter for the filing of the First Account of the Conservatorship Estate on 12/12/2016 at 9:00 a.m. in Dept. 303.</p> <p>Note Re Assets: Corrected Final Inventory and Appraisal filed 3/15/2016 shows an estate value of \$29,102.78 of which \$13,602.78 is cash. If Court grants the Petitioner the authority to make the requested purchases, the property on hand must reflect the acquisitions as Conservatorship Estate assets at the time of the accounting.</p> <p>1. Need proof of service of Notice of Hearing with a copy of the Petition served to all interested parties pursuant to the Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account filed 3/16/2016.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	<ul style="list-style-type: none"> • \$6,060.00 for purchase of a wheelchair (motorized cart), and a bed to payee RAY FISHER PHARMACY; <ul style="list-style-type: none"> ○ Printout of the cart specifications and price attached showing a price range of \$1,500.00; ○ Printout of the bed specifications, optional supplies, and price range attached showing a range of \$3,700.00 to \$4,100.00; • \$1,200.00 for reimbursement to GARY YANG for payment of February rent on 2/1/2016; copy of receipt showing payment for rent for an address on E. Hedges Ave. 	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		X
<input type="checkbox"/>	Aff.Mail		X
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 3/28/16
			Updates:
			Recommendation:
			File 13B- Lor

13B

Petitioner: Andrea Franklin (Pro per – Maternal grandmother)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 4/4/2016</u>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 010416, 022216		ANDREA FRANKLIN, maternal grandmother, is petitioner and was appointed temporary guardian of the person on 3/8/2016.	CONTINUED FROM 2/22/2016
	Aff.Sub.Wit.	Court Investigator report filed 12/22/15.	<u>Minute order dated 2/22/2016</u> states Ike Norman (father), Aunjeli Kingsbury (mother) and Kim Norman (paternal grandmother) received notice and required (guardianship) paperwork. Matter was continued for service as to paternal and maternal grandfathers.
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.	See petition for details.	
✓	Notice of Hrg		1. A Notice of Hearing was filed 3/8/16 showing mailed service on Eric Kingsbury (paternal grandfather). However, the notice lists two hearing dates: 1/4/16 (which already had passed at the time the notice was served) and 4/4/2016. Court may require corrected notice to Eric Kingsbury.
✓	Aff.Mail	w/	2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the petition <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence for:
	Aff.Pub.		a. Craig Norman (paternal grandfather)
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF/SEF
			Reviewed on: 3/29/2016
			Updates:
			Recommendation:
			File 14- Norman

Petition for Appointment of Probate Conservator of the Person and Estate

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<u>OFF CALENDAR</u>
			Request for Dismissal submitted 3/30/16; Dismissal entered 3/30/16.
Cont. from 012816			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
	Conf. Screen		
	Letters	X	
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report	X	
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/28/16
			Updates:
			Recommendation:
			File 15- Owens

Petitioner: Ray Ramos, JR. (pro per)

Objector: Manuel Valdez Sandoval (pro per)

Objector: Monty Villegas (pro per)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 4/4/16</u>	NEEDS/PROBLEMS/COMMENTS:
		RAY ANTHONY RAMOS, step-father, is petitioner.	1. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: a. Jasmine's paternal grandfather (unknown) – unless the court dispenses with notice. b. Jasmine's paternal grandmother – Maria Dollres 2. Objections of Manuel Valdez Sandoval do not include a proof of service.
		Please see petition for details.	
Cont. from 022216		Objections to Guardianship filed by Manuel Valdez Sandoval [Jasmine's father] filed on 12/31/15.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	Objections to Guardianship filed by Monty Villegas [Vincent's father] filed on 1/5/16.	
✓	Aff.Mail	W/	
	Aff.Pub.	Evidence and Proof filed by Monty Villegas on 2/22/16.	
	Sp.Ntc.		
✓	Pers.Serv.	W/	
✓	Conf. Screen	Court Investigator Julie Negrete's Report filed on 2/11/16.	
✓	Letters		
✓	Duties/Supp		
✓	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 3/28/16
			Updates:
			Recommendation:
			File 16- Sandoval & Rodriguez

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<u>Amended Minute Order 2/10/16 (Temp)</u> states: Written objections are to be filed and properly served no later than 2/17/16. The Court orders supervised visitation for Joe Pineda. See minute order for details.
			<u>Note:</u> As of 3/29/16, no objections have been filed.
			1. It appears the notice to the paternal grandparents was served with an incorrect hearing date of 3/4/16. The Court may require further notice to:
			- Joseph Pineda, Jr. (paternal grandfather)
			- Priscilla Arambula (paternal grandmother)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/28/16
			Updates:
			Recommendation:
			File 17- Pineda

18 Keimya Boyd, Danielle Boyd, Marquise Boyd, Devin Boyd (GUARD/P)
Case No. 16CEPR00101

Petitioner Fairly, Rasheena M (Pro Per – Sister)

Petition for Appointment of Guardian of the Person

Keimya, 14	<p><u>TEMPORARY EXPIRES 04/04/2016</u></p> <p>RASHEENA FAIRLY, sister, is Petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Danielle, 8			
Devin, 7			
Marquis, 6			
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			n/a
<input type="checkbox"/> Aff.Mail			n/a
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			n/a
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
<p>Reviewed by: LV</p> <p>Reviewed on: 03/29/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Boyd</p>			

Petitioner Maria Cruz Almeraz Nava (Pro Per – Paternal Great-Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Randy Haro (Father)
			<u>Note:</u> It appears the father was served re the temp hearing on 3/23/16, but not this hearing on 4/4/16.
	Aff.Sub.Wit.		2. Notice of Hearing filed 2/19/16 is incomplete: It does not indicate the date and place that the mailing occurred, it does not indicate that a copy of the petition was mailed with the Notice of Hearing as required by Probate Code §1511, and it is not signed by the server. Therefore, the Court may require further service or amended proof of service on all grandparents: - Jose Luis Haro - Tony Brown - Bertha Lopez
✓	Verified		
	Inventory		Reviewed by: skc
	PTC		
	Not.Cred.		Reviewed on: 3/29/16
✓	Notice of Hrg		Updates:
✓	Aff.Mail	w/o	Recommendation:
	Aff.Pub.		File 19- Brown/ Haro
	Sp.Ntc.		
✓	Pers.Serv.	w	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

Petition for Probate of Will and for Letters Testamentary. Authorization to Administer under the Independent Administration of Estates Act

DOD: 12/4/2015		ARMIDA G. SALAZAR , named executor without bond, is petitioner Full IAEA – o.k. Will dated 11/27/2015 Residence: Fresno Publication: Business Journal Estimated value of Estate: Personal property \$ 20,000.00 Annual gross income: \$ 0.00 Real property: \$ 150,000.00 Total: \$ 170,000.00	NEEDS/PROBLEMS/COMMENTS: Note: If granted, the Court will set status hearings as follows: <ul style="list-style-type: none"> • Tuesday, September 6, 2016 for filing Inventory and Appraisal • Tuesday, June 6, 2017 for filing the first account or petition for final distribution Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from			
<input checked="" type="checkbox"/> Aff.Sub.Wit.	s/p		
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input checked="" type="checkbox"/> Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Probate Referee: Rick Smith	
		Reviewed by: SEF Reviewed on: 3/29/2016 Updates: Recommendation: SUBMITTED File 20- Gomez	

Petition for Appointment of Guardian of the Estate

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			1. This is a petition for guardianship of the estate under Probate Code §1510 based on the minor's anticipated receipt of funds as beneficiary of an insurance policy.
			There is no provision or authority for creation of an irrevocable trust as described by Petitioner under this circumstance. Upon establishment of a guardianship of the estate, the funds must be managed in accordance with the Probate Code and other applicable law.
			<u>SEE ADDITIONAL PAGES</u>
			Reviewed by: skc
			Reviewed on: 3/29/16
			Updates:
			Recommendation:
			File 21- Walker

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

2. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

3. Need further information regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor.
4. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
5. The Court may require further information regarding the minor's father's estate and whether any additional funds are assets, other than what is described herein, may become available via probate estate or other distribution.
6. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.

Note: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.

7. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Petition for Appointment of Guardian of the Estate

			See petition for details.	NEEDS/PROBLEMS/COMMENTS: 8. This is a petition for guardianship of the estate under Probate Code §1510 based on the minor's anticipated receipt of funds as beneficiary of an insurance policy. There is no provision or authority for creation of an irrevocable trust as described by Petitioner under this circumstance. Upon establishment of a guardianship of the estate, the funds must be managed in accordance with the Probate Code and other applicable law. <u>SEE ADDITIONAL PAGES</u>
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 3/29/16	
			Updates:	
			Recommendation:	
			File 22- Abarca	

Page 2 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

9. Pursuant to Local Rule 7.8.1, it is the policy of the Court to block all funds in guardianship estates, with funds to be held in federally insured depositories.

If Petitioner wishes to make investments as described in Probate Code §2574, the Court will require bond in the amount of \$422,400.00. See Probate Code §2320(c) and Cal. Rule of Court 7.207.

If Petitioner wishes to make investments other than as described in §2574, further information is necessary and/or petition may be required under Probate Code §2570.

10. Petitioner requests support from this minor's estate; however, the decedent is not this minor's father. Her father, Octavio Abarca, and mother, Petitioner, both living, are responsible for her support. Need further information and authority regarding the request for child support pursuant to Probate Code §2422, including the amount Petitioner is requesting from this minor, the period of time support is requested for, and any other relevant information, such as Petitioner's income/financial situation and other sources of support for this minor, including support from Mr. Abarca.
11. Petitioner indicates that the civil lawsuit regarding the decedent's death is unlikely to result in substantial recovery; however, the Court may require further information regarding this action.
12. The request for attorneys' fees and costs is premature. Pursuant to Probate Code §2640, a petition for compensation may be filed at any time after the filing of the Inventory and Appraisal, but not before the expiration of 90 days from issuance of Letters. Further, the petition must specify the amount requested and provide itemization and other information pursuant to Cal. Rules of Court 7.751, 7.702. See also Cal. Rule of Court 7.752, which provides that notwithstanding earlier petition, the Court may order accounting prior to allowance of compensation, and Local Rule 7.16, which provides that attorneys' fees and costs are typically considered at first account.
- Note: Although no amount is specified in the petition and no itemization is provided, the proposed order indicates \$1,800.00 at #10.
13. If blocked account is required, need Order to Deposit Money Into Blocked Account (MC-355) and the Court will set a status hearing for the filing of the Receipt (MC-356).

Note: If guardianship of the estate is granted, the Court will set status hearings as follows:

- Monday, May 16, 2016 for the filing of the receipt for blocked account and/or bond.
- Monday, August 1, 2016 for filing the Inventory and Appraisal. See Probate Code §2610.
- Monday, June 5, 2017 for filing the first account. See Probate Code §2620.

If the proper items are on file, status hearings may come off calendar. See Local Rule 7.5.

Petition for Appointment of Guardian of the Person

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<p><u>Minute Order 3/21/16:</u> Examiner notes provided in open court. Rachel Saenz, mother, represents that her mother's name is also Rachel Saenz, and clarifies that her sobriety date for meth is 12/25/15. The Court orders Rachel Saenz, mother, to report to Avertest before noon today for a urine drug test; cost of said test to be paid for by Rachel Saenz, mother. Rachel Saenz is to bring the test results to court on 4/4/16 if she is going to be present, or file them by mail if she will be appearing by CourtCall. The Court orders supervised visitation for Rachel Saenz, mother, today as mutually agreed by the parties.</p> <p><u>Note:</u> On 3/30/16, Petitioner filed Declarations of Due Diligence for the father, paternal grandparents, and maternal grandmother.</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. If diligence is not found, need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Israel Aguilar (Father) - Rachael Saenz (Mother) 2. If diligence is not found, need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Paternal Grandparents - Maternal Grandmother
Cont. from 032116			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	x	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 3/28/16
			Updates: 3/30/16
			Recommendation:
			File 23- Aguilar/ Saenz

Attorney
Petitioner

Kruthers, Heather (for Public Administrator)
Marin, Ernestine G. (Pro Per Petitioner)

Probate Status Hearing

RE: Report of the Public Administrator

DOD: 12/28/13		ERNESTINE G. MARIN , daughter, filed a Petition for Probate of Will and for Letters Testamentary on 2/8/16.	NEEDS/PROBLEMS/COMMENTS:
		At the hearing on 3/21/16, the Court denied the petition, appointed the Public Administrator as personal representative, and set this status hearing re report from the Public Administrator.	1. Need Order, Letters for appointment of Public Administrator. 2. Need status report from Public Administrator.
Aff.Sub.Wit.		Minute Order 3/21/16 states: Petitioner represents to the Court that the only asset is an encumbered home that they are trying to keep from going to auction by the county in early April. The Court denies and dismisses Ms. Marin's petition and appoints the Public Administrator; Letters are to issue forthwith from the minute order. The Public Administrator is to contact Melissa Trejo, Petitioner's daughter, forthwith due to the time issue. Set on 4/4/16 for Status RE: Report from the Public Administrator.	Note: If the Public Administrator will serve as Personal Representative, the Court will set the following status hearings: <ul style="list-style-type: none"> Monday, September 12, 2016 for filing the Inventory and Appraisal Monday, June 12, 2017 for filing the first/final account.
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc	
		Reviewed on: 3/28/16	
		Updates:	
		Recommendation:	
		File 24- Gonzalez	

Petitioner Lopez, Ignacio (Pro Per – Uncle)

Petition for Appointment of Temporary Guardian of the Person

Mady Age: 7		<u>GENERAL HEARING 05/24/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		JESSICA TORRES , aunt, and IGNACIO LOPEZ , uncle, are petitioners.	Note: Petition pertains only to Mady Martinez. Maternal Aunts, Victoria Gonzales and Veronica Valdez, were appointed guardians of Manuel Torres on 08/26/2015.
Cont. from		Please see petition for details	1. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	2. Need proof of personal service five(5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">Christina Torres (Mother)	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	n/a	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	x	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 03/29/2016
			Updates:
			Recommendation:
			File 25- Torres/ Martinez

26 Mason Gonzales (GUARD/P)**Case No. 16CEPR00317**

Petitioner Bernal, Catherine (Pro Per – Maternal Grandmother)

Petitioner Bernal, Valentin (Pro Per – Maternal Grandfather)

Petition for Appointment of Temporary Guardian of the Person

Age: 6		<u>GENERAL HEARING 05/25/2016</u> CATHERINE BERNAL, and VALENTIN BERNAL , maternal grandparents are petitioners. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Adrian Marcel Mendoza (Father) 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			n/a
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 03/30/2016	
			Updates:	
			Recommendation:	
			File 26- Gonzales	

Petition for Settlement and Final Distribution on Waiver of Accounting, Report of Executor, and Petition for Allowance of Compensation to Executor and Attorneys for Ordinary Services

DOD: 1/1/14		CRAIG MACGLASHAN , Son and Executor with Limited IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 3/28/16</u> : Matter is short-set for Counsel to address item four of the examiner notes. <u>Note</u> : All issues remain noted for reference. <u>SEE PAGE 2</u>
		Accounting is waived.	
Cont. from 032816		I&A: \$963,766.62	
<input type="checkbox"/>	Aff.Sub.Wit.	Supp I&A: \$138,900.016	
<input checked="" type="checkbox"/>	Verified	POH: <u>Not stated</u>	
<input checked="" type="checkbox"/>	Inventory	Declaration filed 3/25/16 states a statement of current property on hand would require a full accounting, which defeats the purpose of a waiver. See <i>Examiner's Note</i> re declaration at #2 on Page 2.	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Executor (Statutory): \$22,275.33 Executor waives increased fees re supp I&A	
<input type="checkbox"/>	Aff.Pub.	Attorney (Statutory): \$22,275.33	
<input type="checkbox"/>	Sp.Ntc.	Declaration filed 3/25/16 states although the supplemental I&A increased the value of the estate, the attorney is not requesting any additional fees or costs.	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	Costs: \$25.50 (certified letters)	
<input type="checkbox"/>	Duties/Supp	Closing: \$4,900.00	
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Petitioner requests distribution pursuant to Decedent's will as follows:	
<input type="checkbox"/>	CI Report	Karen D. Bunting: Sapphire and diamond tennis bracelet and sapphire and diamond ring (See #3) (See #2 re POH)	
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Michele Lynn Lambert: Gold chain and diamond solitaire necklace and matching drop earrings (six diamonds) (See #3) (See #2 re POH)	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	Lisa Defoor: Emerald and diamond ring and emerald and diamond bracelet (See #3)(See #2 re POH)	
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	Roberta Darrow MacGlashan: Engagement ring and diamond solitaire with ten small diamonds (See #3) (See #2 re POH)	
<input checked="" type="checkbox"/>	FTB Notice	Craig MacGlashan as successor trustee of testamentary trust: Residue of estate (See #4) (See #2 re POH)	

Page 2 - NEEDS/PROBLEMS/COMMENTS:

1. ~~Order entered 5/25/15 in the conservatorship 10CEPR00285 provided for distribution of all remaining assets in the conservatorship estate to the decedent's estate.~~

~~Schedule E of the final account, Assets on Hand as of 1/1/14, included Morgan Stanley Smith Barney Active Assets Account xx801076 with various securities. One of the securities assets listed within that account was 2,978.046 shares of Allianz OCC Growth A Fund, which had an estimated Fair Market Value on 1/1/14 of \$118,913.38. See last asset listed under Item No. 6 at Page 3 of Schedule E of the Amended Petition filed 2/23/15.~~

~~The Corrected Final I&A filed 2/18/16 in this estate matter appears to list the Morgan Stanley Active Assets Account, but reflects a different account number xx515076, and although it lists all of the other securities shown in the Conservatorship accounting, it excludes the above-referenced Allianz asset.~~

~~However, a separate asset is shown, categorized as a Mutual Fund, that indicates 0.331 shares "Allianzgi Focused Growth A", but with the same CUSIP number as the above Allianz asset, and valued at \$13.22. See Item No. 2 on Attachment No. 2 of Corrected Final I&A filed 2/18/16.~~

~~Therefore, need clarification as to this discrepancy:~~

- ~~-Is the asset listed in the estate I&A the same Morgan Stanley account as was identified as property on hand at the decedent's date of death in the Conservatorship Estate?~~
- ~~-Is the asset listed in this estate I&A as "Allianzgi..." the same asset as the "Allianz OCC Growth A Fund" that was part of the Morgan Stanley account in the Conservatorship Estate?~~
- ~~-What happened to the balance of the shares and/or value?~~

Supplemental I&A filed 3/25/16 adds 2.9773715 shares valued at \$118,900.16, for a total of 2978.046 shares and a total value of \$118,913.38, as distributed from the conservatorship estate account.

2. Need statement of Assets On Hand pursuant to Cal. Rule of Court 7.550(b)(4).
Note: At Paragraphs 13 and 29, Petitioner refers to the I&A value of \$963,766.62 as "assets of the estate on hand as of January 1, 2014, (date of decedent's death)," but does not appear to state the current POH anywhere.

Declaration of Robert L. Howk filed 3/25/16 states a statement of current property on hand is part of a full accounting, which has been waived, and it is his contention that this is not required. See declaration at #13 for details.

However, Examiner notes that Cal. Rule of Court 7.550 requires specific information to be provided when accounting is waived. 7.550(b)(4) requires a statement of current assets on hand. How can the Court authorize distribution of specific assets and amounts without a verified statement that they are, in fact, on hand for distribution? Need verified statement that all assets requested to be distributed are, in fact, on hand for distribution. Note: This is for all assets to be distributed, not just the jewelry.

3. ~~The decedent's will contains specific devises of various jewelry items to various heirs; however, no jewelry was inventoried among the assets of this estate. The Court cannot authorize distribution of items that were not inventoried as assets of the estate. If these jewelry items are assets of the estate, need Supplemental I&A with appraisal by Probate Referee. If not, this distribution request should not be included in the petition or proposed order, and the Court may require amended petition and/or notice to the affected heirs that such distribution will not be ordered by the Court.~~

Supplemental I&A filed 3/25/16 adds the various jewelry items with a total value of \$20,000.00.

Page 3 - NEEDS/PROBLEMS/COMMENTS (Cont'd):

4. Petitioner requests to distribute the jewelry items as noted in #3 above, and then requests to distribute the remaining part of the estate to Craig MacGlashan as trustee of the testamentary trust created under the will. However, the decedent's will provides that the various **personal property assets** (including furs, art, furniture, antiques/silver, etc.) be distributed to Craig MacGlashan outright. **The trust is then created for the balance**, and should not include the personal property assets.

Declaration of Robert L. Howk filed 3/25/16 states there was a typo on Line 33c of the Petition and it should read: Remaining part of the estate to be distributed to Craig MacGlashan outright with no residue to be distributed to Craig MacGlashan as successor trustee of the trust created under the will, following the terms of the trust per Paragraph 6." After distribution of the four specific bequests, the balance of the estate passes to Craig MacGlashan. The value of the estate is valued such that no amount must be transferred into the trust as no transfer is needed to eliminate, or reduce any federal estate tax. Declaration refers to Article Sixth of the Will.

Examiner's Note: This appears incorrect. As stated above, the will provides that the tangible personal property assets (furniture, art, etc.) be distributed outright. However, the marital deduction portion of the trust is just that portion described in Article Sixth. Article Seventh then provides the actual testamentary trust, and then Article Eighth states: "All property received by the Trustee under Paragraph B of Article SIXTH and/or Paragraph B of Article SEVENTH shall be held, managed and distributed by the trustee hereinafter named for the benefit of my son, CRAIG SCOTT MACGLASHAN, as follows....." Article Eighth then provides for distribution upon Craig's death.

Therefore, according to the will, only the tangible personal property should be distributed to Petitioner outright, and the remainder (the cash and investments) should be held in trust.

- ~~5. Need new order pursuant to Local Rules 7.1.1.F, 7.6.1. Order should indicate specific distributions, pursuant to above issues, should state cash in dollar amounts, and should establish and contain the terms of the testamentary trust. Order should be complete in itself, without having to reference the petition, will, or other file documents.~~

A revised order was submitted; however, see #4 above. Need order reflecting the testamentary trust.

Declaration of Robert L. Howk filed 3/25/16 states it is his contention that none of these supplemental items and corrections should affect the distribution of the estate as a waiver of accounting has been filed in this case on behalf of each of the beneficiaries.